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OSHA . LIANG L.L.P. / SLB
1221 MCKINNEY STREET
SUITE 2800
HOUSTON, TX 77010

EXAMINER

SHINGLES, KRISTIE D

ART UNIT PAPER NUMBER

2141

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/755,002

Applicant(s)

KAAN ET AL.

Examiner

Kristie D. Shingles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 9-20 and 30-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-20 and 30-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Amendments

Claims 9-11 have been amended.

Claims 8, 21-29 and 31 have been cancelled.

Claims 32-35 are new.

Claims 1-7, 9-20 and 30-35 are pending.

Response to Arguments

I. Applicant's arguments with respect to claims 1 and 12 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

II. **Claim 30** is objected to because of the following informalities: two instances of claim 30. Appropriate correction is required.

Claim Rejections - 35 USC § 103

III. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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IV. Claims 1-7, 9, 10, 12-19 and 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Ward* (US 6,438,606) in view of *Kayashima et al* (US 7,143,151).

a. **Per claim 1, *Ward* teaches a system:**

- a first network (*Abstract, col.3 lines 12-17 and 37-41*);
- a data acquisition device connected to the first network (*Figures 3-7, col.4 lines 30-65—support device or central site*);
- a second network (*Abstract, col.3 lines 12-17 and 37-41*);
- a router and at least one host wherein the at least one host is configured to communicate with the data acquisition device through the first network, wherein the router is configured to communicate with the at least one host, and wherein the router isolates the at least one host and the data acquisition device from the second network (*Figures 3-7, col.4 line 40-col.5 line 16—Figure 3 illustrates the router isolating the central site and support device from the LAN network while other embodiments in Figures 5-7 illustrate the router isolating a host pc and the support device from the WAN network*);
- a template file comprising an operating system command associated with the router, wherein the operating system command comprises a variable (*col.1 lines 29-39, col.3 lines 41-52—router image file comprises operating system commands for the router, wherein the commands comprise a version number*); and
- a manager program for executing by a processor of the at least one host to assemble first configuring instructions from the template file for configuring the router, wherein network communication is established among the at least one host, the router and a host on the second network responsive to the configuring of the router, and the configuring does not disrupt communication on the first network between the at least one host and the data acquisition device (*Figures 2-7, col.3 line 37-col.5 line 41, col.8 lines 7-14—a manager program of the central site assemble updated configuration version of router image and sends it to the support device and host PC which are responsive to the updated router image without disrupting communication on the networks*),
- wherein the manager program interprets the variable during assembly of the first configuring instructions (*col.5 lines 26-41—central site outputs the version number of the router image to be distributed*).

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Although *Ward* teaches the above limitations including a router situated between two networks and receiving configuration commands from a host device of one of the networks, *Ward* fails to explicitly a mobile data acquisition unit consisting of the router and the least one host. However, *Kayashima et al* teach implementation of a mobile data acquisition unit wherein routing information is exchanged between the router and a host (*col.3 lines 1-41, col.5 lines 25-35*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Ward* with *Kayashima et al* for the purpose of provisioning a mobile data acquisition unit consisting of the router and host in order to provide a system capable of transmitting data from a router and to a host according to the network and data associated with the host.

b. **Claim 12** contain limitations that are substantially equivalent to claim 1 and is therefore rejected under the same basis.

c. **Per claim 2**, *Ward* with *Kayashima et al* teach the system of claim 1, *Ward* teaches wherein the at least one host has a predetermined configuration, including parameters defining, a certain identity, and the configuring includes setting, parameters in the router that assign the certain identity to the router, so that the network communication between the at least one host and the router is established by the at least one host recognizing the router identity (*col.1 lines 30-39, col.8 lines 32-37; Kayashima et al—col.5 line 25-col.6 line 25*).

d. **Claim 13** is substantially similar to claim 2 and is therefore rejected under the same basis.

e. **Per claim 3**, *Ward with Kayashima et al* teach the system of claim 2, *Kayashima et al* further teach wherein the configuring, includes setting parameters in the router for a network connection between the router and the second network, so that the network communication between the second network host and the router is established by the host on the second network recognizing the router identity via the network connection (*Abstract, col.5 line 54-11, col.6 line 30-col.7 line 30*).

f. **Claim 14** is substantially similar to claim 3 and is therefore rejected under the same basis.

g. **Per claim 4**, *Ward with Kayashima et al* teach the system of claim 1, *Ward* further teaches wherein the router comprises a processor, and wherein execution of the configuring instructions by the router processor automatically performs the router configuring (*col.3 lines 12-18, col.4 lines 44-53, col.5 line 66-col.6 line 20, col.7 lines 10-14*).

h. **Per claim 5**, *Ward with Kayashima et al* teach the system of claim 4, *Ward* further teaches wherein the system comprises second configuring instructions for executing by the router processor upon booting (*col.3 line 43-col.4 line 4, col.5 lines 42-64, col.11 lines 1-3*).

i. **Claim 15** is substantially similar to claim 5 and is therefore rejected under the same basis.

j. **Per claim 6**, *Ward with Kayashima et al* teach the teach system of claim 5, *Ward* further teaches wherein the router comprises a storage unit and the second configuring instructions include instructions stored in a configuration file on the router storage unit (*col.3 lines 23-65, col.4 lines 45-53*).

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k. **Claim 16** is substantially similar to claim 6 and is therefore rejected under the same basis.

l. **Per claim 7**, *Ward with Kayashima et al* teach the system of claim 5, *Ward* further teach wherein the router comprises a reader for reading a portable storage device, and the second configuring instructions include instructions stored on an external storage device readable by the router's reader (*col.3 lines 20-36, col.4 lines 24-65, col.8 lines 32-51*).

m. **Claim 17** is substantially similar to claim 7 and is therefore rejected under the same basis.

n. **Per claim 9**, *Ward with Kayashima et al* teach the system of claim 1, *Kayashima et al* further teach wherein the first configuring instructions include parameters for performing a network login to initialize the network communication on the first network between the router and the at least one host (*col.5 lines 25-35, col.9 lines 3-14, col.11 lines 1-50*).

o. **Claim 18** is substantially similar to claim 9 and is therefore rejected under the same basis.

p. **Per claim 10**, *Ward with Kayashima et al* teach the system of claim 1, *Kayashima et al* further teach wherein the configuring instructions include configuring the router to substitute a network address of the router in place of a network address of the at least one host for communicating from the at least one host to the host on the second network (*col.7 lines 42-57, col.8 lines 34-61, col.10 lines 4-62*).

q. **Claim 19** is substantially similar to claim 10 and is therefore rejected under the same basis.

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r. **Per claim 32**, *Ward* with *Kayashima et al* teach the system of claim 1, *Kayashima et al* further teach wherein the data acquisition device comprises a plurality of network interface cards, wherein each of the plurality of network interface cards is configured to enable communication between the first network and the second network over one of a plurality of connection mediums; wherein the router is configured to interface with each of the plurality of network interface cards, wherein the router communicates with the second network using a selected one of the plurality of network interface cards (*col.3 lines 35-38, col.10 lines 3-27 and 50-65, col.16 lines 52-64*). A data acquisition device having multiple network interface cards is obvious in the art, because this allows the device to connect to and interact with multiple networks using the distinct abilities of the network cards.

s. **Claim 34** is substantially similar to claim 32 and is therefore rejected under the same basis.

t. **Per claim 33**, *Ward* with *Kayashima et al* teach the system of claim 32, *Kayashima et al* further teach wherein each of the plurality of connection mediums is one selected from a group consisting of: ISDN, DSL, cable modem, wireless and voiceband modem (*col.13 lines 44-46, col.14 lines 4-6, col.16 lines 52-60*).

u. **Claim 35** is substantially similar to claim 33 and is therefore rejected under the same basis.

V. **Claims 11 and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Ward* (US 6,438,606) in view of *Kayashima et al* (US 7,143,151) and further in view of *Isfeld et al* (US 5,802,278).

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a. **Per claim 11**, *Ward* with *Kayashima et al* teach the system of claim 1 as applied above, yet fail to distinctly teach the system of claim 1, wherein the configuring includes configuring the router to not send addresses of nodes in the first network to other routers. However, *Isfeld et al* teach a bridge server having states “BLOCKING” or “DISABLED” which can inhibit or prohibit the transmission of addresses (col.51 lines 33-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Ward* and *Kayashima et al* with *Isfeld et al* for the purpose of permitting particular formatting configurations for the router; because it would provide extendibility and security for configuring the router in various modes based on the administrator options and/or preferences.

b. **Claim 20** is substantially similar to claim 11 and is therefore rejected under the same basis.

VI. Claims 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Ward* (US 6,438,606) in view of *Kayashima et al* (US 7,143,151) and further in view of *Applicant Admitted Prior Art* (hereafter referred to as—*AAPA*).

a. **Per claim 30**, *Ward* with *Kayashima et al* teach the method of claim 1 as applied above, yet fail to explicitly teach wherein the data acquisition device comprises a down-hole transmitter. However, *AAPA* discloses a down-hole transmitter as a data acquisition device in communication with a host on a LAN (*page 1 paragraph 0008*). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Ward* and *Kayashima et al* with *AAPA* in order to incorporate the data acquisition abilities of a down-hole transmitter into the system because of the its data acquisition and transmission capabilities allow it to obtain and transmit well-drilling/well-logging data.

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b. **Claim 31** contain limitations that are substantially similar to claim 30 and is therefore rejected under the same basis.

Conclusion

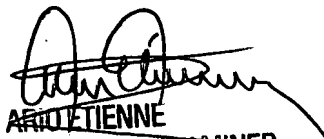
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie D. Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie D Shingles
Examiner
Art Unit 2141

kds


ARIETTE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100